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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

TODD C. BANK, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

-against-

VIVINT SOLAR, INC.,

Defendant.

1:18-cv-02555-MKB-RLM

NOTICE OF DISMISSAL UNDER RULE 41(a)(2) OF THE FEDERAL RULES OF CIVIL PROCEDURE

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(2) of the Federal Rules of Civil

Procedure, this action is dismissed with prejudice and without costs to any party.

Dated: February 5, 2020

s/ Todd C. Bank

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Counsel to Defendant

SO-ORDERED

S/ Margo K. Brodie

Margo K. Brodie

United States District Judge